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DEC 22 2008

OFFICE OF PETITIONS

In re Application of :
Azusawa, et al. :
Application No. 09/356,692 : DECISION ON PETITION
Filed: July 20, 1999 : UNDER 37 CFR 1.182
Attorney Docket No. 35.C7695CONT :
:

This is a decision on the petition under 37 CFR 1.182, filed March 24, 2008, requesting entry of an amendment to the specification to insert a reference to an earlier-filed application pursuant to the provisions of 35 U.S.C. § 120 for the benefit of priority to the prior-filed nonprovisional application set forth in the amendment filed with the petition.

The petition is **GRANTED**.

The above-noted abandoned application failed to make a specific reference to the prior-filed applications; namely, 07/928,099, filed August 13, 1992, and 07/715,457, filed June 14, 1991, prior to abandonment. Petitioner now requests that the abandoned application be amended by inserting a reference to the earlier-filed application. The petition is accompanied by an amendment to include a reference to the prior-filed application in the first line of the specification following the title of the invention.

35 U.S.C. § 120 permits entry of a subsequent amendment to an abandoned application in applications filed prior to November 29, 2000 to include the benefit of an earlier filing date for purposes other than prosecution. *See Sampson v. Commissioner of Patents and Trademarks*, 195 USPQ 136 (DDC 1976).

In view thereof, the request for entry of an amendment to insert a reference to the above-noted, earlier-filed application is granted.

The amendment has been entered. A corrected Filing Receipt, which includes the priority claim to the prior-filed nonprovisional application, accompanies this decision on petition. Petitioners' deposit account has been debited \$400.00 for the petition fee.

Any inquiries concerning this decision may be directed to Alesia M. Brown, Petitions Attorney, at (571) 272-3205.

This application is being forwarded to Technology Center Art Unit 2615 for entry of the amendment filed March 24, 2008. Thereafter, the application will be returned to the Files Repository.



Anthony Knight
Supervisor
Office of Petitions

ATTACHMENT: Corrected Filing Receipt



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
09/356,692	07/20/1999	2615	760	35.C7695CONT	15	3

CONFIRMATION NO. 8167

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CORRECTED FILING RECEIPT



OC000000033488772*

Date Mailed: 12/08/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

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Domestic Priority data as claimed by applicant

This application is a CON of 08/380,336 01/30/1995 PAT 6,014,169
which is a CON of 07/928,099 08/13/1992 ABN
which is a CON of 07/715,457 06/14/1991 ABN

Foreign Applications

JAPAN 2-161905 06/19/1990
JAPAN 2-171590 06/28/1990

If Required, Foreign Filing License Granted: 08/19/1999

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 09/356,692**

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

Title

PICKUP DEVICE APPARATUS INCLUDING VIBRATION CORRECTION MEANS

Preliminary Class

348

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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NOT GRANTED

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